STATE

Sanctioning lesbian parents

Attorney general challenges ruling

By **Barry Bortnick**
The Gazette

DENVER — Is it legal for two women to be listed as the natural mothers on a baby's birth certificate?

Lawyers representing a lesbian couple say yes. So does a District Court judge in Boulder who recently approved the listing and allowed both women full parental rights over twins the two are raising.

Last week, The Gazette learned, the Attorney General's Office took issue with at least part of the ruling by District Judge Roxanne Bailin.

Attorney General Ken Salazar, in a motion filed last week, challenged the birth certificate listing, saying Bailin was wrong when she ruled that "a child can have two legal, natural mothers."

It's unclear whether the challenge, if successful, would affect only the way the women are listed on the birth certificate or would undermine the larger issue of parental rights for lesbians.

Bailin's action was seen as a legal breakthrough for gay rights and quickly opened the door to a number of similar filings by other lesbian couples in Boulder County.

The Gazette on Sunday featured another lesbian couple not named in the attorney general's motion. The couple had benefited from the same ruling the attorney general is now challenging.

Put simply, the attorney general says that no more than one natural mother can appear on the certificate.

The lesbian couple's co-counsel, Barbara Lavender, said the state has allowed two women to be placed on birth certificates in the past.

"We did this five years ago with same-sex adoptions," Lavender said. "The state has issued certificates with two mothers before, so they are confused now."

But there's a difference, state officials say.

"(This) was the first time two women (were listed) as natural mothers on the certificate," said Cynthia Honssinger, director of the Office of Legal and Regulatory Affairs for the state Department of Public Health and Environment.

"I took a look and found nothing in the statute to support this, so we asked the Attorney General's Office to give an opinion," Honssinger said.

Apparently the confusion over the Boulder twins surfaced when a clerk within the state Registrar of Vital Statistics didn't know how to handle the unusual birth certificates.

Now the matter rests with the Boulder judge. If she holds her ground and refuses to reverse her order, the state registrar could have the case brought to the Colorado Court of Appeals. As of now, the lesbian couple have legal birth certificates for their twins.

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TELL IT TO THE GAZETTE

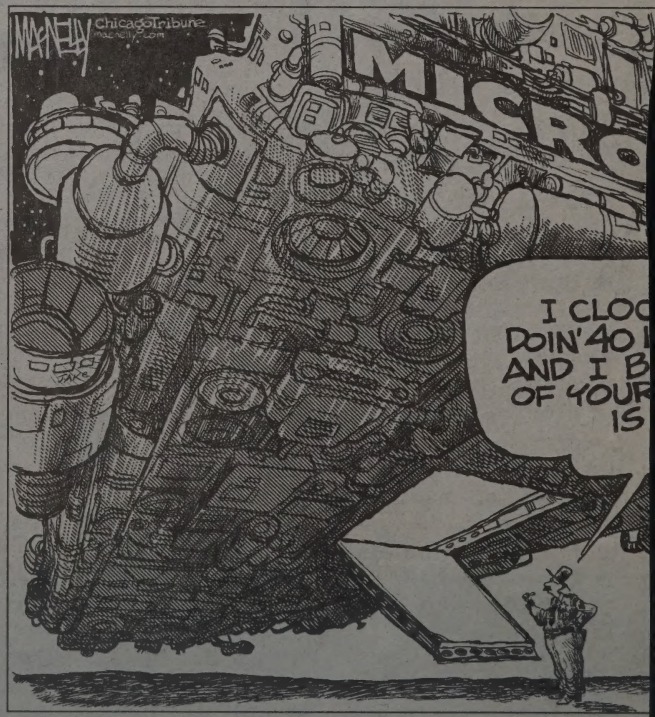
MICROSOFT SUIT

Professionals buy software because it works for them

Bill Gates and Microsoft do not need my defense. But when I see others trashing this software giant with specious reasoning, I cringe.

Are they using recent events in this anti-trust episode to vent their own prejudices — like a pack of dogs savaging the lone dog with a lame foot?

I object to the recent contention of a writer to The Gazette that "Anyone familiar with the computer industry knows that Microsoft has been playing dirty for years — they've simply convinced the public through inescapable marketing and forced dependence on their products that they



ments and fair pricing. In short, they have been competitive.

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